IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 1535 of 2004

MUNICIPAL BOARD, MOUNT ABU
V/S
SURESH KUMAR

Mr. YASHWANT MEHTA, for the appellant / petitioner

Mr. SK SANKHALA for Mr. R PANWAR, for the respondent

Date of Order : 17.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

By the impugned order, the learned trial Court has directed that the appellant shall not demolish the construction, and the plaintiff will not raise any further construction. The order was passed way-back on 20.9.2003. It is informed by learned counsel for the parties that the suit has registered material progress during this intervening period. In my view, in this appeal, it would not be in the interest of justice to interfere with the impugned order at this belated hour, and the interest of justice would be served by directing the learned trial Court to decide the suit expeditiously.

In view of the above, though the matter comes up for consideration of stay petition only, but the appeal is disposed of with the direction to the learned trial Court to decide the suit most expeditiously.

(N P GUPTA),J.

/tarun/